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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/526,848
Filing Date: September 29, 2005
Appellant(s): WANG, LING

Williams S. Francos
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 11-23-2009 appealing from the Office action mailed June 30, 2009.

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(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Non- Final

The appellant's statement of the status of amendments after non-final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

Josephsoon et al. "Electric device control apparatus and method for marking and using same", United State Patent Publication Number 2008/0034331 A1, February 7, 2008.

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Haupt "System for controlling mobile transmitting and/or receiving devices wirelessly connected to a central unit", United State Patent Publication Number 2002/0042282 A1, April 11, 2002.

Crookham et al. "Apparatus system and method for wide area network to control sports light" United State Patent Publication Number 2007/0171028 A1, July 26, 2007.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7, 9-17 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Josephsoon (U.S. Pub. 2008/0034331) in view of Haupt (U.S. Pub. No. 2002/0042282).

Regarding claims 1 and 11, Josephsoon teaches a lighting control network (250) (see fig. 2B), comprising: a remote control unit 220) having a RF signal transmitter and a RF signal receiver (see fig. 2B, remote control unit (220) is communication with MDS (202s) via a wireless communication pathway or with two way link (260 or 234) (fig. 2B on page 11, sections [0110 and 0114]); and a plurality of lighting control units (202s and 252) (fig. 2B),) with wireless RF connection (260) (see fig. 2B, page 11, section [0111] lines 3-12), each of the

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lighting control units (202s and 252) having a RF signal transmitter, a RF signal receiver (see fig. 2B, page 11, section [0111] lines 3-12). In this case, the wireless communication in RF link is well known in the art or inherently disclosed transmitter and receiver for communicating. And a lighting unit (210) (210s) associated therewith (see fig. 2B, page 11, par [0111] and page 8, par [0094]). In this case, the lighting control units (202s) associated lighting unit (210s) and lighting control units (252) with interface is indirect associated with lighting unit (202s) or tv backlight (fig. 2B and page 8, par [0094]), wherein the remote control unit (220) and the plurality of lighting control units (202s and 252) are configured in a master-slave oriented network (see fig. 2B), one of the plurality of lighting control units (252 is master for 202s) and the central control unit (220) being configured as a master in the network (250) (see fig. 2B, master is the control (252); and remaining lighting control units (202s) of the plurality of lighting units and the remote control unit (220) being configured as slaves in the network (see fig. 2B, page 11, section [0111] lines 3-12). In this case, the central control unit (252) of lighting control unit is configured in a master lighting control, and lighting control units (202s) configured is slave oriented network. Since one or more devices coupled to a network may serve as a controller for one or more other devices coupled to the network (e.g., in a master/slave relationship). But Josephsoon does not mention the plurality of lighting control units (202s) communicating bi-directionally with each other via a RF wireless link.

However, the related art Haupt teaches the master remote unit (1) (central unit 1), and plurality of mobile apparatus 4-9 (slave) which are in the form of transmitting and/or receiving devices and which in part transmit data and/or signals to the central unit (1) (master unit), The mobile apparatus 4-9 each have a respective control module equipped with transmitting and/or

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receiving functionality, for direct or in-direct bidirectional communication with each other, and can be central controlled by the master central unit. In this case, the central control unit is a master remote control, the mobile apparatus 4-9 control units is a slave remote control, since each of slave remote control 4-9 can bidirectional communication with each other with command by the central control unit (see fig. 1, Master remote control (1) communication on command to the remote control slave (10), then the remote control (10) communication with other control unit 6 and 7, see page 2-3, sections [0029-0033]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify above teaching of [Josephsoon with Haupt, in order to provide directly or indirectly controlled by the central unit (master unit) (see suggested by Haupt on page 2, section [0029]).

Regarding claims 2 and 12, Josephsoon teaches a sensor (906) for sensing a parameter and transmitting a status of the parameter (902) to the master (908 of 900) (see page 14, section [0129-0131]).

Regarding claims 3 and 13, Josephsoon teaches the sensor is selected from the group consisting of: an ambient light sensor, a motion sensor, an occupancy sensor, a temperature sensor, and a combination thereof (see fig. 3A, page 13-14, sections [0126 and 0129-0131]).

Regarding claims 4 and 14, Josephsoon teaches the sensor communicates via a RF wireless link with the master (see page 9, section [0096]). In this case, the sensor communicates via a RF wireless link with the master, since the control lighting fixtures remotely without

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rewiring, and the occupancy sensor input/output device communication with master with RF signal.

Regarding claims 5 and 15, Josephsoon teaches the master (252 of 202) is one of the plurality of lighting control units (202s) and controls the lighting unit associated therewith in response to receiving the status of the parameter (see fig. 2B, page 11, section [0111] lines 3-12, section [0113], and see page 9, sections [0096-0100]).

Regarding claims 6 and 16, Josephsoon teaches a user interface (224) control on the remote control unit (220) is associated with at least one of the plurality of lighting control units (202) (see page 11, section [0110]).

Regarding claims 7 and 17, Josephsoon teaches the slaves (202s) communicate directly with the master (252) via RF wireless communication (see fig. 2B, page 11, section [0111] lines 3-12, section [0113]).

Regarding claims 9 and 19, Josephsoon teaches the network combines a RF communication protocol and a lighting control protocol (see fig. 2B, page 11, section [0111] lines 3-12, section [0113], and see any hard selection protocol on page 6, sections [0072-0073, 0076-0078], and page 16, section [0148]). In this case, the communication protocol is between mater and slave assignment command on-off status bit map is the lighting control protocol, and the RF wireless link of the communication RF communication protocol.

Regarding claims 10 and 20, Josephsoon teaches a mechanism for selecting back-up to the master (252 of 202) (see fig. 2A-B, page 11, sections [0111 and 0113]). In this case, the mater (252) is selected from the (control units (202)), therefore the control unit (202) can be back-up controller for master (252) to controlling the system.

3. Claims 8 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Josephsoon (U.S. Pub. 2008/0034331) in view of Haupt (U.S. Pub. No. 2002/0042282) further in view of Crookham (U.S. Pub. No. 2007/0171028).

Regarding claims 8 and 18, Josephsoon teaches the master (252 of 202) is one of the plurality of lighting control units (202s). But Josephsoon does not mention a central control master for interfacing multiple instances of the lighting control network together.

However, Crookham teaches a central control master (138) for interfacing multiple instances of the lighting control network (136) together (see fig. 1A-B, and 8-10, page 4-5, sections [0065-0068]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify above teaching of Josephsoon and Haupt with Crookham, in order to provide user can potentially access this information from anywhere an Internet connection is available using wireless or wireless form the central control master (138) and network 136 to control of light and other electrical controller system (see suggested by Crookham on page 5, section [0066-0067]).

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(10) Response to Argument:

I. a. Independent claims 1 and 11.

Regarding claims 1 and 11, Appellant asserts that the reference of Josephsoon fails to teach or does not suggested “a remote control unit”.

The examiner, However, does not agree. Since Josephsoon teaches A lighting control network (fig. 2B), comprising: a remote control unit (220) having a RF signal transmitter and a RF signal receiver (see fig. 2B, remote control unit (220) is communication with MDS (202s) (lighting control units) via a wireless communication pathway or with two way link (260 or 234), and a plurality of lighting control units (MDSs 202s) with wireless RF connection (260) (fig. 2B on page 11, par [0111] and [0113-0114]), and Josephsoon also teaches the control unit 252 is light control units having a housing 254 including an user interface 256 and a processing and control unit 258, that control unit 252 is connected, via electric wires 260 or wireless communication such as RF, IR, Microwave, to control a plurality of MDSs 202 (light control units). Since the control unit 252 is remotely and wireless remote control to control a plurality of MDSs 202 (light control units) and lighting control units (252) with interface is indirect associated with lighting unit (202s) or backlight (see fig. 2B and page 11, paragraph [0111] and page 8, par [0094])

Therefore, the reference of Josephsoon is teaching and suggested “a remote control unit” of the limitation in claims 1 and 11.

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Appellant also asserts that the remote control unit 220 in reference of Josephsoon, the remote control 220 is not in communication with the MDSs 202 (light control units), But rather is in communication with central control unit 252.

The examiner, However, does not agree. Since Josephsoon teaches the remote control unit 220 having a housing 222 including an user interface 224 and a processing and control unit 226 for controlling on, over or near or in proximity to surface 228 of interface 224 of the remote control unit 220 in first direction 230, allows user to scroll through the MDSs 202 (light control units) (see fig. 2B and page 11. par [0113]). Josephsoon also teaches the remote control unit 220 could send its commands to a central computer which would then route the commands to an appropriate MDSs 202 (light control units) (page 11, par [0113] and par [0114] lines 11-13). In this case, the remote control unit 220 is route the commands to an appropriate MDSs 202 (light control units). Therefore, remote 220 does indeed communicate with lighting control units (202s and 252), either directly (to 252), or indirectly (routing to 202s through 252).

Therefore, the reference of Josephsoon is teaching and suggested “a remote control unit 220” is in communication with the MDSs 202 (light control units).

Regarding claims 1 and 11, Appellant also asserts that the remote control unit 220 in reference of Josephsoon does not teach Masters in a master-slave configuration.

The examiner, However, does not agree. Since Josephsoon teaches A lighting control network (fig. 2B), comprising: a remote control unit (220) having a RF signal transmitter and a RF signal receiver (see fig. 2B, remote control unit (220) is communication with MDS (202) (lighting control units) via a wireless communication pathway or with two way link (260 or 234),

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and a plurality of lighting control units (MDSs 202s) with wireless RF connection (260) (fig. 2B on page 11, par [0111] and [0113-0114]); and a plurality of lighting control units (202s and 252) (fig. 2B), each of the lighting control units (202s and 252) having a RF signal transmitter and a RF signal receiver (see fig. 2B, page 11, par [0111]). In this case, the wireless communication in RF link is well known in the art or inherently disclosed transmitter and receiver for communicating. And a lighting unit (210s) associated therewith (see fig. 2B, page 11, par [0111] and page 8, par [0094]). In this case, the lighting control units (202s) associated lighting unit (210s) and lighting control units (252) with interface is indirect associated with lighting unit (202s) or backlight (fig. 2B and page 8, par [0094]). Wherein the remote control unit (220) and the plurality of lighting control units (202s and 252) are configured in a master-slave oriented network (fig. 2B). In this case, the master lighting control units (252) can be a mater to control the slave lighting control units (202s)(fig. 2B). And one of the plurality of lighting control units (252) and the remote control unit (220) being configured as a master in said network (fig. 2B) and remaining lighting control units (202s) of said plurality of lighting units and the remote control unit (220) being configured as slaves in said network (2B), and said plurality of lighting control units (202s and 252) and the remote control unit (220) communicating bi-directionally with each other via a RF wireless link (fig. 2B, page 11, par [0113] lines 16-19and 0114]). In this case the remote control unit (220) is direct/indirect or routing communicating bi-directionally with each other via a RF wireless link.

Therefore, the reference of Josephsoon is teaching and suggested a master-slave configuration oriented network of the limitation in claims 1 and 11.

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Regarding claims 1 and 11, Appellant asserts that the second reference of Haupt does not teach “a remote control unit”.

The examiner, However, does not agree. Since Haupt teaches a system for the control of mobile transmitting and /or receiving devices connected to central unit, a corresponding central (master) and sub-unit (slave) in configuration network (see fig. 1, Master remote control (1) communication on command to the remote control (10), than the remote control (10) communication with other control unit 6 and 7, and the control unit 4 and 5 communication with each other in RF wireless link (see fig. 1 and page 2-3, sections [0029-0033 and 0042]). In this case. Since the central control unit (1) is remotely control on wireless communication link with field control units 4-9, that can be remote control unit. Haupt also teaches the field remote control unit (10) is communication and control unit (6 and 7), that configured is a remote control unit.

Moreover, the main reference of Josephsoon teaches the control unit 252 having a housing 254 including an user interface 256 and a processing and control unit 258, that control unit 252 is connected, via electric wires 260 or wireless communication such as RF, IR, Microwave, to control a plurality of MDSs 202 (light control units). Since the control unit 252 is remotely and wireless remote control to control a plurality of MDSs 202 (light control units) (see fig. 2B and page 11, paragraph [0111]). And Josephsoon also teaches the remote control unit 220 having a housing 222 including an user interface 224 and a processing and control unit 226 for controlling on, over or near or in proximity to surface 228 of interface 224 of the remote control unit 220 in first direction 230, allows user to scroll through the MDSs 202 (light control units) (see fig. 2B and page 11. par [0113]). Josephsoon also teaches the remote control unit 220 could

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send its commands to a central computer which would then route the commands to an appropriate MDSs 202 (light control units) (page 11, par [0113] and par [0114] lines 11-13). In this case, the remote control unit 220 is route the commands to an appropriate MDSs 202 (light control units), that is in communication with the MDSs 202 (light control units) in directly or indirectly.

Therefore, the reference of Haupt, or the combination of Josephsoon with Haupt is teaching the limitation of the claim.

b. No motivation to combine the reference of Josephsoon with Haupt.

Appellant asserts that the combination of Josephsoon with Haupt has no motivation.

The examiner, However, does not agree. The examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the motivation to combine applied references are found in the references themselves (i.e., to obtain flexible choices as stated in the “Purpose” section in Kazuyoshi).

Moreover, the reference of Josephsoon teaches the control unit 252 having a housing 254 including an user interface 256 and a processing and control unit 258, that control unit 252 is connected, via electric wires 260 or wireless communication such as RF, IR, Microwave, to

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control a plurality of MDSs 202 (light control units). Since the control unit 252 is remotely and wireless remote control to control a plurality of MDSs 202 (light control units) (see fig. 2B and page 11, paragraph [0111]). And Josephsoon also teaches the remote control unit 220 having a housing 222 including an user interface 224 and a processing and control unit 226 for controlling on, over or near or in proximity to surface 228 of interface 224 of the remote control unit 220 in first direction 230, allows user to scroll through the MDSs 202 (light control units) (see fig. 2B and page 11. par [0113]). Josephsoon also teaches the remote control unit 220 could send its commands to a central computer which would then route the commands to an appropriate MDSs 202 (light control units) (page 11, par [0113] and par [0114] lines 11-13). In this case, the remote control unit 220 is route the commands to an appropriate MDSs 202 (light control units), that is in communication with the MDSs 202 (light control units) in directly or indirectly. And

Haupt teaches a system for the control of mobile transmitting and /or receiving devices connected to central unit, a corresponding central (master) and sub-unit (slave) in configuration network (see fig. 1, Master remote control (1) communication on command to the remote control (10), than the remote control (10) communication with other control unit 6 and 7, and the control unit 4 and 5 communication with each other in RF wireless link (see fig. 1 and page 2-3, sections [0029-0033 and 0042]). In this case. Since the central control unit (1) is remotely control on wireless communication link with field control units 4-9, that can be remote control unit. Haupt also teaches the field remote control unit (10) is communication and control unit (6 and 7), that configured is a remote control unit. Haupt is teaching control units communication with each other in bidirectional on RF wireless link (see fig.).

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Therefore, the combination of Josephsoon with Haupt, that is teaching the limitation of the claim, and see suggestion by Haupt on page 2, section [0029 and 0031]).

Claims 2-7 and 11-17, 19 and 20 are depend from claims 1 and 11, respectively, are also responding to argument depend on independent claims 1 and 11.

II. Claims 8 and 18 are also depend from claims 1 and 11, respectively, are responding to argument depend on independent claims 1 and 11.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Trinh, Tan
Primary Examiner
Art Unit 2618
February 7, 2010

/TAN TRINH/
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